

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JACK COLONNA,

Defendant.

MEMORANDUM DECISION AND
ORDER MODIFYING TERM OF
IMPRISONMENT TO TIME SERVED

Case No. 2:00-CR-411 TS

This matter is before the Court on Defendant's Motion for Furlough and/or Early Release, filed August 28, 2006.¹ Defendant is currently in custody at the BOP Taft Correctional Institution in California, and is scheduled to be released on or about September 22, 2006.

Defendant represents that his mother, Jean Colonna, recently passed away. Defendant has provided a letter from the funeral home stating that her funeral will be held on September 1, 2006 in Magna, Utah.

Defendant has served nearly all of this 46-month sentence. Defendant is not eligible for either furlough or release to a half-way house. The Court has considered Defendant's history

¹ Docket No. 172.

while incarcerated at Taft, including reports regarding an altercation there in 2005 involving Defendant, and finds that early release is justified.

Having considered the motion and the record before it, the Court will grant Defendant's Motion and modify the term of imprisonment to time served.

Therefore, it is hereby

ORDERED that Defendant's Motion for Furlough and/or Early Release (Docket No. 172) is GRANTED. It is further

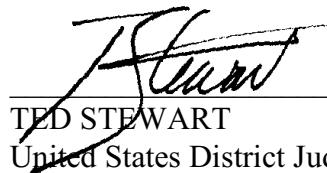
ORDERED that Defendant's period of incarceration is modified to time served effective immediately, and he is to be released forthwith.

Nothing in this Order negates Defendant's obligations under supervised release.

SO ORDERED.

DATED this 29th day of August, 2006.

BY THE COURT:



TED STEWART
United States District Judge